

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Case No. 7:20-CV-00174-D**

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| SSGT GARRETT BURN, et al., |) |
| on their own behalf and on behalf of others |) |
| similarly situated, |) |
| |) |
| Plaintiffs, |) |
| |) |
| v. |) |
| |) |
| LEND LEASE (US) PUBLIC |) |
| PARTNERSHIPS LLC, et al., |) |
| |) |
| Defendants. |) |
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STIPULATED FED. R. EVID. 502(d) ORDER

Plaintiffs and Defendants jointly move for the Court to enter this stipulated 502(d) Order.

WHEREFORE, for good cause shown, it is hereby ORDERED, ADJUDGED AND DECREED THAT:

1. The production of privileged or work-product protected hard copy documents, electronically stored information ("ESI") or information, whether inadvertent or otherwise, is not a waiver of the privilege or protection from discovery in this case or in any other federal or state proceeding. This Order shall be interpreted to provide the maximum protection allowed by Federal Rule of Evidence 502(d).

2. Nothing contained herein is intended to or shall serve to limit a party's right to conduct a review of documents, ESI or information (including metadata) for relevance, responsiveness and/or segregation of privileged and/or protected information before production.

3. To the extent any party to this litigation receives a document which it either (a) reasonably believes may be privileged, or (b) is notified by the producing party is privileged,

such receiving party shall return all copies of the document. If the receiving party disagrees with the assertion of privilege, it shall sequester the document (and all copies) until a determination is made as to the assertion of privilege.

4. To the extent that the receiving party subsequently receives a discovery request in separate litigation, a subpoena, or other lawful process which seeks production of any document covered by this Order, the receiving party shall promptly notify the producing party of such request or demand and the receiving party shall take all reasonable steps to protect against disclosure of such privileged document.

5. This Order shall survive the conclusion of the above-referenced litigation and may only be modified upon a motion to this Court. This Order shall be deemed to apply retroactively to the commencement of this litigation.

6. The parties agree that Section 502(b) shall have no application to this agreement and the procedures agreed to herein.

IT IS SO ORDERED.

BY THE COURT:

Dated July 13, 2022

A. Deven
United States District Judge

AGREED AND APPROVED:

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